

## SENATE BILL No. 434

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 21-13; IC 21-14; IC 21-16-1-8.

**Synopsis:** Financial aid and tuition. Provides that a person who: (1) is a nonresident; (2) is a member of the Indiana National Guard; and (3) attends a state educational institution; is eligible to pay the resident tuition rate for undergraduate and graduate courses. Provides that certain: (1) veterans; (2) Purple Heart recipients; and (3) persons who serve on active military duty; are eligible to pay the resident tuition rate for graduate courses. Provides that the commission for higher education: (1) may consider only the residency status of a student; and (2) may not consider the residency status of the student's parents or legal guardian even if the student is considered a dependent for purposes of federal or state financial aid; for purposes of eligibility for the National Guard tuition supplement program and the National Guard scholarship extension program. Provides that money in the National Guard tuition supplement program fund shall be used to provide annual scholarships in an amount that is equal to a full tuition scholarship to attend the state educational institution. (Current law provides for an alternative amount that is equal to the balance required to attend the state educational institution if the scholarship applicant receives other financial assistance specifically designated for educational costs.) Amends the cumulative grade point average requirements for certain tuition and fee exemptions for children of veterans. Amends the definition of "eligible student" for purposes of the employment aid readiness network (EARN) Indiana program.

**Effective:** July 1, 2015.

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## Hershman

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January 12, 2015, read first time and referred to Committee on Veterans Affairs & The Military.

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First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE BILL No. 434

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 21-13-1-8, AS ADDED BY P.L.2-2007, SECTION  
2 254, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2015]: Sec. 8. "Scholarship applicant", for purposes of IC 21-13-4,  
4 means a person who:  
5 (1) is an eligible student;  
6 (2) is a resident of Indiana, **as determined by the commission**  
7 **under IC 21-13-4-1.5;**  
8 (3) has been accepted to attend a state educational institution as  
9 a full-time or part-time student;  
10 (4) has been certified to have met all National Guard  
11 requirements; and  
12 (5) according to commission requirements, has timely filed an  
13 application for any federal and state financial assistance available  
14 to the person to attend a state educational institution.  
15 SECTION 2. IC 21-13-1-9, AS ADDED BY P.L.144-2007,  
16 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2015]: Sec. 9. "Scholarship extension applicant", for purposes of IC 21-13-5, means a person who:

- (1) is a former member of the Indiana National Guard who was called to active duty at least one (1) time while a member of the Indiana National Guard;
- (2) was a scholarship applicant when the person was called to active duty;
- (3) is a resident of Indiana, **as determined by the commission under IC 21-13-4-1.5;**
- (4) has been accepted to attend a state educational institution as a full-time or part-time student; and
- (5) according to commission requirements, has timely filed an application for any federal and state financial assistance available to the person to attend a state educational institution.

SECTION 3. IC 21-13-4-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1.5. In determining whether an eligible student is a resident of Indiana, the commission:**

- (1) may consider only the residency status of the student; and**
- (2) may not consider the residency status of the student's parents or legal guardian even if the student is considered a dependent for purposes of federal or state financial aid.**

SECTION 4. IC 21-13-4-2, AS ADDED BY P.L.2-2007, SECTION 254, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. Money in the National Guard tuition supplement program fund shall be used to provide annual scholarships to scholarship applicants in an amount that is equal to ~~one (1)~~ of the following amounts:

- ~~(1) If the scholarship applicant does not receive other financial assistance specifically designated for educational costs, the amount equal to a full tuition scholarship to attend the state educational institution.~~
- ~~(2) If the scholarship applicant receives other financial assistance specifically designated for educational costs, the amount:~~
  - ~~(A) equal to the balance required to attend the state educational institution; and~~
  - ~~(B) not to exceed the amount described in subdivision (1).~~

SECTION 5. IC 21-14-4-2, AS AMENDED BY P.L.169-2011, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) Subject to this section and section 2.5 of this chapter, an eligible applicant is entitled to enter, remain, and receive instruction in a state educational institution upon the same conditions,



1 qualifications, and regulations prescribed for other applicants for  
 2 admission to or scholars in the state educational institutions, without  
 3 the payment of any educational costs for one hundred twenty-four (124)  
 4 semester credit hours in the state educational institution.

5 (b) The maximum amount that an eligible applicant is exempt from  
 6 paying for a semester hour is an amount equal to the cost of an  
 7 undergraduate semester credit hour at the state educational institution  
 8 in which the eligible applicant enrolls.

9 (c) This subsection applies only to an individual who qualifies for  
 10 a benefit under this chapter because of a father or mother (or in the  
 11 case of section 1(1) of this chapter, a related member) who enlisted or  
 12 otherwise initially served in the armed forces of the United States after  
 13 June 30, 2011. This subsection applies to a student who initially enrolls  
 14 in an eligible institution for a semester (or its equivalent) beginning  
 15 after June 30, 2012. Subject to subsection (d), any benefits awarded  
 16 under this chapter may not be renewed, subject to subsections (a) and  
 17 (b), if the eligible individual fails to maintain at least the following a  
 18 cumulative grade point average

19 ~~(1) For credit hours applicable to the equivalent of the applicant's~~  
 20 ~~freshman academic year; a cumulative grade point average that~~  
 21 ~~the eligible institution determines is satisfactory academic~~  
 22 ~~progress.~~

23 ~~(2) For credit hours applicable to the equivalent of the applicant's~~  
 24 ~~sophomore academic year; a cumulative grade point average of~~  
 25 ~~2.25 on a 4.0 grading scale or its equivalent as established by the~~  
 26 ~~eligible institution.~~

27 ~~(3) For credit hours applicable to the equivalent of the applicant's~~  
 28 ~~junior or senior academic year; a cumulative grade point average~~  
 29 ~~of 2.5 on a 4.0 grading scale or its equivalent as established by the~~  
 30 ~~eligible institution.~~

31 (d) After the first semester or its equivalent at the eligible institution  
 32 that a person does not achieve the requisite cumulative grade point  
 33 average specified in subsection (c), the person is considered to be on  
 34 probation and must achieve the requisite cumulative grade point  
 35 average by the next semester or its equivalent at the eligible institution  
 36 in order to continue to receive benefits under this chapter.

37 (e) Notwithstanding any other provision of this chapter or another  
 38 law, a change in the criteria for or the amount of a benefit awarded  
 39 under this chapter enacted in the 2011 session of the general assembly  
 40 applies only to an individual who qualifies for a benefit under this  
 41 chapter because of a father or mother (or in the case of section 1(1) of  
 42 this chapter, a related member) who enlisted or otherwise initially



served in the armed forces of the United States after June 30, 2011.

SECTION 6. IC 21-14-9-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 0.5. As used in this chapter, "qualified course" includes a course prescribed by a state educational institution to obtain a graduate degree.**

SECTION 7. IC 21-14-9-1, AS ADDED BY P.L.144-2007, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. Notwithstanding any other statute, a person who:

- (1) is a nonresident of Indiana;
- (2) serves on active duty;
- (3) is stationed in Indiana; and
- (4) attends a state educational institution;

is eligible to pay the resident tuition rate determined by the state educational institution for **qualified** courses taken by the person while the person continues to satisfy the criteria set forth in subdivisions (2) and (3).

SECTION 8. IC 21-14-9-3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 3. Notwithstanding any other statute, a person who:**

- (1) is a nonresident of Indiana;**
- (2) is currently serving in the Indiana National Guard; and**
- (3) attends a state educational institution;**

**is eligible to pay the resident tuition rate determined by the state educational institution for qualified courses taken by a person while the person continues to satisfy criteria set forth in subdivision (2).**

SECTION 9. IC 21-14-10-2, AS ADDED BY P.L.141-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. **(a) As used in this section, "credit hours" includes credit hours to obtain a graduate degree.**

**(a) (b)** Subject to subsection **(b)**; **(c)**, an eligible applicant is entitled to enter, remain, and receive instruction in a state educational institution upon the same conditions, qualifications, and regulations prescribed for other applicants for admission to or scholars in the state educational institution, without the payment of any educational costs for one hundred twenty-four (124) semester credit hours in the state educational institution.

**(b) (c)** The maximum amount that an eligible applicant is exempt from paying for a semester hour is an amount equal to the cost of an undergraduate semester credit hour at the state educational institution



1 in which the eligible applicant enrolls.

2 SECTION 10. IC 21-14-12.2-1, AS ADDED BY P.L.137-2013,  
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2015]: Sec. 1. As used in this chapter, "qualified course"  
5 means a course prescribed by a state educational institution to obtain  
6 an undergraduate degree **or graduate degree**.

7 SECTION 11. IC 21-14-12.2-2, AS ADDED BY P.L.137-2013,  
8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2015]: Sec. 2. As used in this chapter, "qualified veteran"  
10 means an individual

11 (†) who:

12 (A) (1) served in the armed forces of the United States or the  
13 Indiana National Guard; and

14 (B) (2) received an honorable discharge. **or**

15 (2) ~~who currently is serving in the Indiana National Guard.~~

16 SECTION 12. IC 21-14-12.2-6 IS REPEALED [EFFECTIVE JULY  
17 1, 2015]. Sec. 6: ~~A qualified veteran who enrolls in a graduate degree~~  
18 ~~program at a state educational institution is subject to the tuition~~  
19 ~~policies determined by the state educational institution.~~

20 SECTION 13. IC 21-16-1-8, AS AMENDED BY P.L.272-2013,  
21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2015]: Sec. 8. "Eligible student" means a student who:

23 (†) ~~has been offered a financial aid award from the commission~~  
24 ~~under IC 21-12-3, IC 21-12-4, or IC 21-12-6 for the current~~  
25 ~~academic year; and~~

26 (2) (1) is enrolled as a full-time student at an approved institution  
27 of higher education in Indiana;

28 (2) **completes a Free Application for Federal Student Aid; and**

29 (3) **meets financial eligibility requirements based on the**  
30 **student's financial aid application, regardless of the date on**  
31 **which the application is filed.**

